

FILE PRINT

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBER 2-2017-0620-08	NOTICE FILE NUMBER 2017-1023-05FP	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

RECEIVED DATE PUBLICATION DATE
JUN 20'17 JUN 30'17
Office of Administrative Law

2017 OCT 23 P 4: 48
OFFICE OF
ADMINISTRATIVE LAW

NOTICE

REGULATIONS

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

NOV 28 2017

3:13p

AGENCY WITH RULEMAKING AUTHORITY

Occupational Safety and Health Standards Board

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE See attached		TITLE(S) Title 8		FIRST SECTION AFFECTED Section 6052		2. REQUESTED PUBLICATION DATE June 30, 2017	
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON Marley Hart, Executive Officer		TELEPHONE NUMBER (916)-274-5721		FAX NUMBER (Optional) (916)-274-5743	
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER 2017-26-2		PUBLICATION DATE 6/30/2017			

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Commercial Diving Operations (HORCHER)		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)	
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT	Section 6056.1
	AMEND	Sections 6052, 6056, 6057, 6060
	REPEAL	Section 6062
TITLE(S) 8		

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §511346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §511349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input checked="" type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input checked="" type="checkbox"/> Other (Specify) Exempt per Labor Code 142.3(a)(3)	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify)
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6650)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify)		

7. CONTACT PERSON

Marley Hart

TELEPHONE NUMBER

916-274-5721

FAX NUMBER (Optional)

E-MAIL ADDRESS (Optional)

mhart@dir.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE

Marley Hart

DATE

10/19/17

TYPED NAME AND TITLE OF SIGNATORY

Marley Hart, Executive Officer

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AUTHORIZED FOR FILING AND PRINTING

NOV 28 2017

Office of Administrative Law

**STANDARDS PRESENTATION
TO
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

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**PROPOSED STATE STANDARD,
TITLE 8, DIVISION 1, CHAPTER 4**

Amend Section 6052 to read:

§6052. General Requirements.

(b) Requirement for a Manual for Diving Safety. The employer shall develop and maintain a Manual for Diving Safety which shall be made available at the dive location to each dive team member. The emergency evacuation and emergency medical treatment sections of the Manual for Diving Safety shall be abstracted and with the decompression, repetitive, and no-decompression tables (as appropriate) be available at the dive location.

(c) The Dive Team.

(1) Person-in-Charge:

(A) ~~Definition and Authority: The employer or a person appointed by the employer shall be designated as the person in charge. This person shall be in charge of all aspects of the diving operation and shall be at the dive location or the dive site during the diving operation. The employer or an employee designated by the employer shall be at the dive location in charge of all aspects of the diving operation affecting the safety and health of dive team members.~~

(B) ~~Qualifications: The person in charge shall have experience and training to conduct the diving operation. The designated person in charge shall have experience and training in the conduct of the assigned diving operation.~~

(C) Responsibilities.

~~4. Post Dive Procedures.~~

~~(i) After the completion of a day's diving, the designated person in charge shall observe the physical condition of each diver and shall conduct an interview with each diver regarding any physical problems or symptoms of decompression sickness.~~

~~(ii) When diving outside the no decompression limits, deeper than 100 fsw or using mixed gas as a breathing mixture, the employer shall insure the diver remains awake for at least one hour after~~

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PROPOSED STATE STANDARD,
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~~diving (including decompression or treatment if appropriate), and in the vicinity of the decompression chamber (if required at the dive location), or in the company of a dive team member who is prepared to transport the diver to a decompression chamber if necessary.~~

~~(e) Warning Flag. When diving in areas capable of supporting marine traffic, either:~~

~~(1) A rigid replica of the international code flag "A" at least one meter in height shall be displayed at the dive location in a manner which allows all-round visibility, and shall be illuminated during night diving operations, or~~

~~(2) The use of a smaller code flag "A" shall be permitted for shallow diving, commensurate with the size of boats, skiffs, or other surface floats used in the dive operation, or~~

~~(3) A flag and/or other signal required by the agency which has jurisdiction at the dive location shall be displayed to indicate that diving operations are being conducted.~~

(e) Warning Signal. When diving from surfaces other than vessels in areas capable of supporting marine traffic, a rigid replica of the international code flag "A" at least one meter in height shall be displayed at the dive location in a manner which allows all-round visibility, and shall be illuminated during night diving operations.

(f) First-Aid Supplies.

(1) A first-aid kit ~~adequate~~ appropriate for the diving operation and approved by a physician shall be available at the dive location.

(2) When used in a decompression chamber or bell, the first-aid kit shall be suitable for use under hyperbaric conditions.

(3) In addition to any other first aid supplies, an American Red Cross standard first aid handbook or equivalent, and a bag-type manual resuscitator with transparent mask and tubing shall be available at the dive location.

(g) Record of Dive.

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PROPOSED STATE STANDARD,
TITLE 8, DIVISION 1, CHAPTER 4

(H) For each dive outside the no-decompression limits, deeper than 100 fsw or using mixed gas, the following additional information shall be recorded and maintained:

1. Depth-time and breathing gas profiles;
2. Decompression table designation (including modification); and
3. Elapsed time since last pressure exposure if less than 24 hours or repetitive dive designation for each diver.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.

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(E) A decompression chamber shall be ready for use at the dive location for any dive outside the no-decompression limits or deeper than 100 fsw.

* * * * *

1. A separate dive team member shall tend each diver in the water;

1-2. A standby diver shall be available while a surface supplied diver is in the water;

2.3. A diver-carried reserve breathing gas supply shall be provided for each diver.

~~3.4.~~ A dive-location reserve breathing gas supply shall be provided.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.

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PROPOSED STATE STANDARD,
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(A) Dual-lock;

NOTE: Dual-lock is meant to include multi-lock components if each is large enough to transfer personnel and supplies into and out of the main compartment while it is pressurized. Medical locks do not meet the intent of this requirement. A diving bell or manned deep diving system capable of mating with a decompression chamber would meet this requirement.

(B) Multiplace; and

(C) Located within 5 minutes of the dive location.

(4) The decompression chamber shall be equipped with:

(A) A pressure gauge for each pressurized compartment designed for human occupancy;

(B) A built-in-breathing-system with a minimum of one mask per occupant;

(C) A two-way voice communication system between occupants and a dive team member at the dive location;

(D) A viewport; and

(E) Illumination capability to light the interior.

(5) Treatment Table. Treatment gas appropriate to the diving mode, and sufficient gas to conduct treatment shall be available at the dive location.

(6) A dive team member shall be available at the dive location during and for at least one hour after the dive to operate the decompression chamber (when required or provided).

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.

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**PROPOSED STATE STANDARD,
TITLE 8, DIVISION 1, CHAPTER 4**

Amend Section 6060 to read:

§6060. Procedures During Dive.

(d) Dive Profiles. A depth-time~~er~~, profile, including when appropriate any breathing gas changes, shall be maintained for each diver during the dive including decompression.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.

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~~(C) Located within 5 minutes of the dive location.~~

~~(4) The decompression chamber shall be equipped with:~~

~~(A) A pressure gauge for each pressurized compartment designed for human occupancy;~~

~~(B) A built-in breathing system with a minimum of one mask per occupant;~~

~~(C) A two-way voice communication system between occupants and a dive team member at the dive location;~~

~~(D) A viewport; and~~

~~(E) Illumination capability to light the interior.~~

~~(5) Treatment Table. Treatment gas appropriate to the diving mode, and sufficient gas to conduct treatment shall be available at the dive location.~~

~~(6) A dive team member shall be available at the dive location during and for at least one hour after the dive to operate the decompression chamber (when required or provided).~~

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.